

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2820 of 2023

Applicant :- Narendra Kumar Johri

Opposite Party :- Dr. Nitin Bansal, Director, Directorate Of Local Bodies, Lko. And Another

Counsel for Applicant :- Sunil Kumar Mishra

Hon'ble Rajesh Singh Chauhan,J.

1. Heard Sri Sunil Kumar Mishra, learned counsel for the petitioner and Sri Amrendra Pratap Singh, learned Standing Counsel.

2. Sri Sunil Kumar Mishra has filed reply to the affidavit of compliance, the same is taken on record.

3. Sri Amrendra Pratap Singh has stated that in paras-8 & 9 of the affidavit of compliance, it has been categorically indicated that the order has been passed for making payment of all admissible dues to the petitioner. However, Sri Sunil Kumar Mishra has drawn attention of this Court towards para-7 of his reply wherein he has categorically indicated that the arrears amounting to Rs.11,56,681/- have not been paid to the petitioner till date. In para-8 of the reply, he has also stated that benefit of office order dated 22.12.2022 i.e. direction for providing Grade Pay Rs.4600/- and revised pension with arrears have not been paid to the petitioner whereas in para-10 of the affidavit of compliance, it has been indicated that the petitioner shall be given Grade Pay Rs.4600/- and accordingly his pension would be revised and shall be given arrears of pension.

4. Sri Amrendra Pratap Singh, learned Standing Counsel, has stated that since the appropriate order has been passed, therefore, the petitioner shall be paid his all admissible dues as has been indicated in the affidavit of compliance.

5. Be that as it may, when the appropriate direction has been issued to provide all admissible benefits to the petitioner including arrears of pension etc., then the same must be paid to the petitioner with expedition. The affidavit of compliance was filed on 03.10.2023 and since then, one month's period has passed, but the benefit of order being passed by the competent authority has not been given to the petitioner till date. Therefore, it is expected that the petitioner shall be paid his

entire admissible dues in terms of the submissions and averments so made in the affidavit of compliance and also as has been indicated in the reply to the compliance affidavit filed by the petitioner within a period of three weeks from today, to be more precise on or before 01.12.2023 and that amount shall be credited in the account of the petitioner, failing which liberty is given to the petitioner to file an appropriate application in the present contempt petition for seeking revival as the same is being disposed of finally for the reason that appropriate orders have been passed for making payment of admissible dues to the petitioner. In case it is found that admissible dues have not been paid to the petitioner on or before the stipulated time and if the contempt petition is revived, any coercive order may be passed against the erring opposite parties under the Contempt of Courts Act.

6. In the aforesaid terms, the present contempt petition is **disposed of.**

7. Notices are discharged.

[Rajesh Singh Chauhan,J.]

Order Date :- 3.11.2023
RBS/-